

# Theodore Roosevelt, a Civil War General, and the Battle for Labor Peace

by Louis B. Livingston

One of the mysteries of President Theodore Roosevelt's intervention in the massive 1902 anthracite coal strike is why he selected a retired Civil War general, John M. Schofield, to implement the presidential plan for the army to seize and operate the coal mines. The decision to summon the army and the way Roosevelt structured it—but only after the strike was five months old—arguably constitute a watershed in chief executives' responses to labor strife and demonstrate Roosevelt's ability to shift means in order to obtain goals. As for the Schofield selection, it has escaped close examination, probably because the strike was settled before any mine seizure occurred. There also is virtually no paper trail to explain why Roosevelt decided to bring Schofield out of retirement, except for a perplexing reference in TR's *Autobiography* over a decade later.<sup>1</sup> The dearth of scholarly investigation is unfortunate, because the choice of General Schofield to command the army intervention suggests a great deal about Roosevelt's handling of an apparently intractable labor dispute, how he envisioned the military's role in a civilian conflict, and how his unconventional selection may have contributed to reaching the strike's settlement. It also shows how adroitly Roosevelt pivoted to make use of the Schofield choice even after its original purpose became moot.

\* \* \* \* \*

The anthracite coal strike of 1902 was the first of the numerous great challenges to confront the Roosevelt presidency. To set the scene, a brief review of this strike will place the issues of army intervention and the Schofield component in perspective.

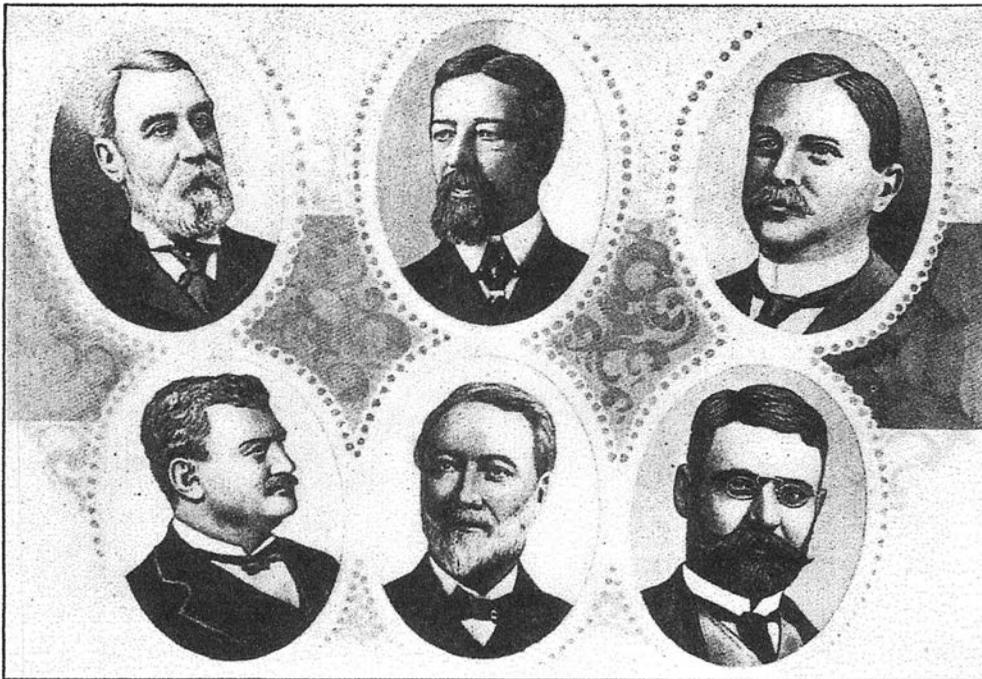
The strike began in May, less than a year after Roosevelt had succeeded the assassinated William McKinley as President. Nearly one hundred fifty thousand miners led by the United Mine Workers (UMW) union ceased work to protest the lack of progress regarding their demands for union recognition, higher wages, shorter hours of work, and improved working conditions. During the strike's five months, Roosevelt's strategies for resolving it repeatedly changed, and he did not adopt a contingent military solution until close to the very end.

Initially, he "avoided interfering" in the strike by leaving it to the mine owners and the UMW to reach a peaceful settlement without government involvement. The mine owners were

confident that "if order were kept, and nothing further done by the Government, they would win." TR observed that the owners, in refusing "to take any steps looking toward an accommodation," were "merely taking the extreme individualistic view of the rights of property and the freedom of individual action upheld in the *laissez faire* political economies." He also believed that the owners' approach ignored the public's "rights in the matter" and conflicted with the interests of the miners, whose "suffering . . . was great." Writing about the strike a decade later, Roosevelt emphasized his progressive sympathies by asserting that the owners "did not see" (a phrase he rhetorically repeated six times and coupled with the accusation that the coal operators had acted "blindly") that their property rights were no greater than the workers' "fundamental human rights," and that the contestants' rights in a major strike were subordinate to "the fundamental permanent interests [e.g., availability of coal supplies] of the whole community."<sup>2</sup>

During the summer of the strike, the presidential waiting game seems to have been politically manageable because of the reduced need for anthracite coal to heat homes and other buildings. As the coal strike dragged into the chill of autumn, however, government officials from East Coast states warned Roosevelt that the strike was causing a heating "calamity" on account of diminishing coal supplies. Roosevelt analogized their concerns to being "threatened by the invasion of a hostile army of overwhelming force." Fears grew within his Republican Party that it faced a "political disaster" in which Roosevelt's administration would be blamed for economic and social catastrophe due to coal shortages. Emblematic of the political precipice that leading Republicans thought they faced were three nearly hysterical letters from Massachusetts Senator Henry Cabot Lodge, influential figure and close Roosevelt friend, who wrote the President plaintively asking, "Can nothing be done" to press the mine operators into settling with the UMW?<sup>3</sup>

Roosevelt contemplated but was dissuaded by his attorney general's legal advice from bringing an antitrust suit under the Sherman Act against either the owners or the union. He then took the unprecedented, and highly publicized, step of personal presidential mediation. In early October, TR called mine owners and UMW representatives to meet with him in Washington, D.C. There, sitting dramatically in a wheelchair to which he was confined after being injured when his carriage was hit by a



from John Mitchell, *Organized Labor*, p. 90

Presidents of coal roads during the anthracite coal strike of 1902. George F. Baer of the Philadelphia & Reading Railway Company is top center.

train, the President “disclaim[ed] any right or duty to intervene . . . upon legal grounds or upon any official relation that I bear to the situation,” but he pleaded with the disputants to find a way to resume mining operations “to meet the crying needs of the people.” In response, the union proposed third-party arbitration of the outstanding labor issues, while the owners countered by proposing to let local courts resolve those disputes. When neither side would agree to the other’s suggested forum, the meeting broke up in acrimony.<sup>4</sup>

Roosevelt’s ensuing actions were attempts to arouse public opinion against the mine owners.<sup>5</sup> First, immediately after the meeting, the President’s office publicized its breakdown by issuing a printed report of what had happened there. It was of such public interest that the *New York Times* devoted much of its first page to a reprint of the full report and accompanied it with the newspaper’s appraisal, including characterizing the President’s post-meeting comments as “in severe criticism of the unyielding position of the operators.” The report quoted the owners’ harsh anti-union statements and juxtaposed them against the dignified conciliatory comments of the UMW president, John Mitchell.<sup>6</sup>

Roosevelt’s second tactic to paint the owners into a public relations corner was his refusal to acknowledge the mine owners’ offers to submit the labor issues to local courts for third-party resolution, even though their proposals for such a resolution appear in the report. There is evidence that his refusal was a gesture toward the UMW, which opposed the use of local judges because they were “not particularly known for their labor sympathies.” Moreover, when some owners later offered to let

Roosevelt assign resolution of the dispute to any higher court he chose, TR refused even to convey the offer to the union unless other mine owners agreed to it and he received a personal apology from the owners for their conduct at the meeting. The mine owners’ public standing suffered from these presidential tactics, as illustrated in letters from former President Grover Cleveland supporting Roosevelt’s actions and from Senator Lodge declaring that the union had gained public sympathy for its “fair proposition.”<sup>7</sup>

When criticism of the mine owners did not modify their bargaining position, Roosevelt shifted his persuasive attentions to the union. He offered the UMW’s Mitchell a presidential commission to investigate all strike matters at issue and, if the miners went back to work, a presidential promise to

“do whatever lies in my power to secure action according to their report.” On October 9, Mitchell declined the offer because it did not obligate the owners to accept the commission’s report.<sup>8</sup>

Thus, the sequential approaches of presidential wait-and-see, mediation, and public criticism of the mine owners, followed by a promise to support the conclusions of an official investigation, had all failed to end the strike. Roosevelt’s fallback idea was army intervention. He devised a supposedly secret plan for the army to seize and operate the struck mines. Under Roosevelt’s mine seizure plan, he would signal the governor of Pennsylvania that the time had arrived to request the President to send federal troops “to keep order” in the inoperative coal fields. The President would then send the army under the command of Major General Schofield to seize the mines and run them for the government as a “receiver.” Roosevelt intended to accompany army intervention with appointment of an investigating commission, to include former President Cleveland, to “decide on the rights of the case” and report its findings to Roosevelt for further action. These findings would address the strike’s causes, prevailing conditions, and the problem of violence that each side had accused the other of perpetrating.<sup>9</sup>

We can date the plan’s conception as occurring sometime after October 3, when Roosevelt hosted the presidential conference with management and union representatives, but no later than October 9, when Secretary of War Elihu Root, who had been informed of the plan, communicated with the financier J. P. Morgan to propose a different approach. On the former date, Roosevelt had told the mayor of New York City that it was an “absurd” idea for

the government to seize the mines and run them as a “receiver.”<sup>10</sup> Within a week, however, he felt compelled to pursue that absurdity.

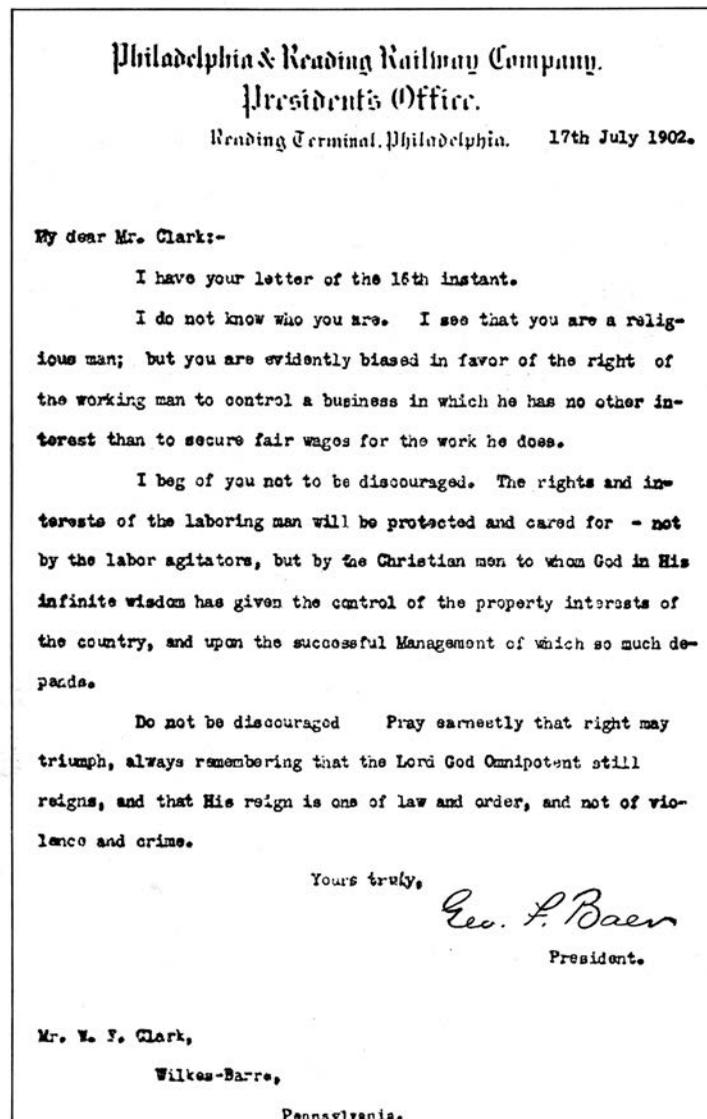
In a letter Roosevelt wrote a few days after a strike settlement was eventually reached, he said that he had “outlined” to Secretary of War Root and Attorney General Philander C. Knox “certain definite action” to which he would “proceed” if he “had to take charge of the matter.” This outline appears to have included some or all of the plan’s military features, because Root advised him that “there were 10,000 regulars which I could put in at once.” Root was “disturbed by the possibilities” and “immediately” wrote to J. P. Morgan on October 9 with a proposal for an alternative, non-military solution. Although not directly involved in the labor dispute, Morgan had influence as the main banker for the coal-carrying railroad companies that owned the struck coal mines. What Root proposed to Morgan was simultaneously to address the “double line of complaints,” namely, the miners’ objections to existing work conditions and the owners’ objection to any kind of recognition of the union’s right to speak for the miners. His goal was to get the mine owners to offer submission of the disputed labor issues to third-party resolution, without insisting upon a court as the third party, so that the owners could claim such a proposal as their own, would avoid the appearance of agreeing to the union’s arbitration proposal, and would thereby not have to concede recognition of the UMW as the representative of the workers. In substance, Root wanted the owners to agree to the arbitration forum they had previously scorned, but to do it in such a way that it would seem to be their idea. As Root put it, “it was a damned lie, but it looked fair on paper.”<sup>11</sup>

Morgan invited Root to discuss this proposal on his yacht, *Corsair*, in New York City on October 11. We do not know all the particulars of their discussion. Root later denied that he had threatened government action, a contention that would preclude his having raised Roosevelt’s military plan, but Roosevelt wrote a few days later that Root “impressed upon him [Morgan] the imminence of the danger.” Whatever Root’s message was, Morgan and Root reached agreement on the latter’s approach and then drafted on the yacht’s stationery “a little memorandum” in which the mine owners, rather than the union or the President, proposed a presidential commission to arbitrate the labor dispute. That same day, the mine owners approved in substance the Morgan-Root memorandum. The owners’ proposal for a presidential arbitration commission was announced two days later, on October 13, after Morgan and one of his associates met with TR and Root in Washington. Still on the same day, Roosevelt met with General Schofield to discuss the mine seizure plan and instructed the general to take “any steps whatever that were necessary to prevent interference by the strikers or their sympathizers with men who wanted to work.”<sup>12</sup>

from Stefan Lorant, *The Life and Times of Theodore Roosevelt*, p. 375

The union did not accept the owners’ arbitration proposal until October 15, two days after it had been announced. The delay stemmed from the

union’s objection to how the mine owners proposed to appoint the arbitration commissioners. The owners had insisted upon a five-member commission and specified the types of persons to be appointed, namely, an expert mining engineer, a man with experience in mining and selling coal, a military officer from the engineering corps, a federal judge from Pennsylvania, and a person “eminent as a sociologist.” The union objected that this



*A revealing, oft-cited letter.*

was an attempt to pack the commission in the owners' favor. As a result, Roosevelt had to perform major damage control.

When UMW President Mitchell met with Roosevelt on October 15, the union leader initially protested "in the strongest terms against any limitation" on the President's choice of arbitration commissioners. By the end of their meeting, however, Mitchell had agreed to the five-person arbitration panel as demanded by the mine owners, if modified at Roosevelt's suggestion to add two other members, the president of the Order of Railway Conductors union and a labor-friendly Catholic prelate.<sup>13</sup> There is no record of what convinced Mitchell to drop his insistence that the President have total discretion to appoint arbitration commissioners and to accept the owners' proposal with only a pro-labor minority added to the panel. As described more fully below, General Schofield's role in the mine seizure plan may well have been what convinced Mitchell.

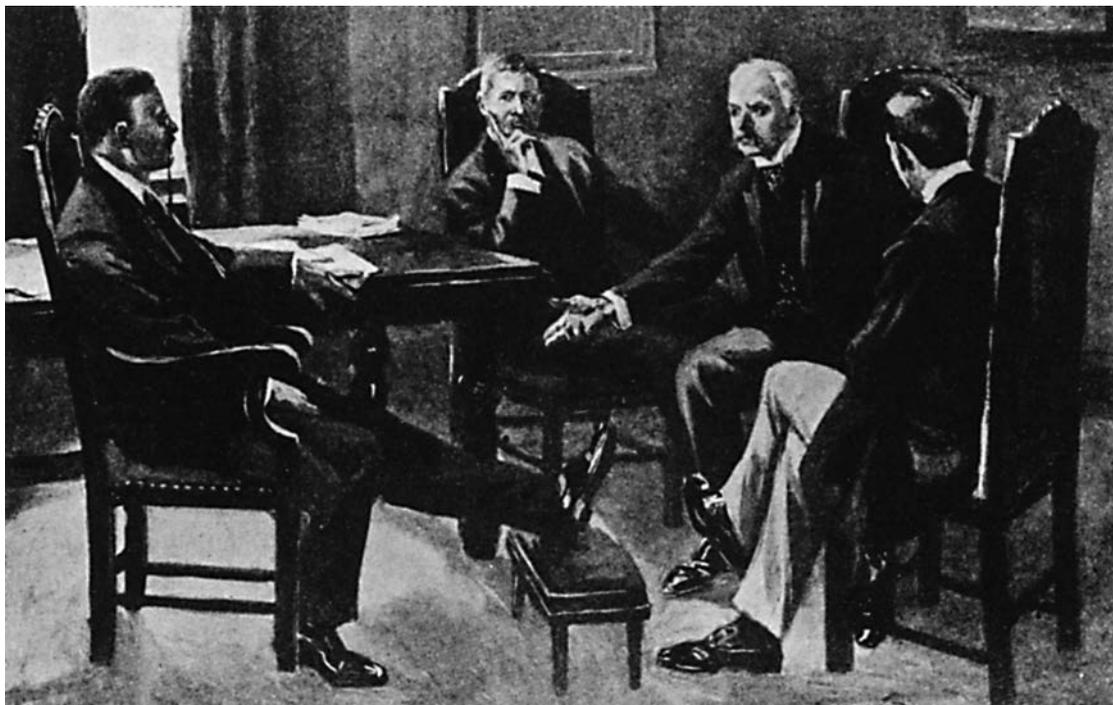
It was the mine owners' turn to object. Later on October 15, the date of the Roosevelt-Mitchell meeting, two Morgan partners respected by TR arrived to persuade the President to reject any change in the composition of the commission.<sup>14</sup> It was Roosevelt, however, who persuaded them and the mine owners to accept his commission appointments of the railway union's president as the commission's "eminent sociologist," even though he doubted that his designee knew what the title meant, and of the Catholic prelate. This required a further modification of the commission's

composition, now at six members because Roosevelt also demoted his primary adviser on labor matters from the position of "eminent sociologist" to the job of commission "recorder." For the second time, Mitchell agreed to the owners' commission proposal as modified by the President.<sup>15</sup>

\* \* \* \* \*

As the foregoing suggests, coal strike historiography treats General Schofield as a bit player, if it mentions him at all. What it overlooks is the significance of Schofield's unusual range of army experiences in labor conflicts and how that background complemented Roosevelt's mine seizure plan. To appreciate this point, we must go beyond the traditional coal strike narrative and consider two issues that have been consistently ignored: first, why Roosevelt chose Schofield to command the army's mine seizures; and second, the likely impact of the Schofield selection on the parties.

Why did Roosevelt want Schofield to command the army's coal strike intervention? Roosevelt's only explanation appears in his *Autobiography*, written a decade after the coal strike. He there described Schofield as a "first-rate general" and "all right" in "both nerve and judgment." Those attributes might justify the selection if one overlooks two complicating facts. First, Schofield's army career and hence his performance as a general had ended seven years earlier when he had retired. Second, TR seemed to weaken



from Steffen Loran, *The Life and Times of Theodore Roosevelt*, p. 383

Theodore Roosevelt meeting with J. P. Morgan on October 13, 1902. The President's message to the financier was stern and effective.

his “first-rate general” rationale by adding that Schofield was “a fine fellow – a most respectable-looking old boy, with side whiskers and a black skull-cap, without any of the outward aspect of the conventional military dictator.” However we interpret Roosevelt’s explanations, it is clear that he regarded the general’s selection as important. In the course of the *Autobiography’s* description of the coal strike, Roosevelt mentioned the general by name three times and pointed out that Schofield was “the only man who knew exactly what my plan was.”<sup>16</sup> But these rationales for choosing him appear so disjointed that they beg the question of why Roosevelt wanted Schofield to be the man of the hour. Indeed, Roosevelt’s physical description of Schofield seems incongruous enough to provoke questions about how serious the mine seizure plan really was. Moreover, since the army’s seizure of the coal mines was by itself a potentially game-changing event, why did TR emphasize Schofield’s role? Was there no other general with the desired good sense, judgment, and nerve to act?

The mystery is compounded by the fact that the President intended to give the Civil War general enormous power in the coal fields. The *Autobiography* states that Roosevelt instructed Schofield to take “any steps whatever that were necessary to prevent interference by the strikers or their sympathizers with men who wanted to work.” Later, Roosevelt recollected his instructions to Schofield as forbidding “the smallest outrage or interference on the part of the striking workingmen.” In other words, the federal force that the President intended to dispatch under General Schofield’s command would be expected to protect *strikebreakers*. As Roosevelt recounted it, Schofield responded to his instructions by “quietly” answering “that if I gave the order he would take possession of the mines, and would guarantee to open them and to run them without permitting any interference either by the owners or the strikers or anybody else, so long as I told him to stay.”<sup>17</sup> Such a guarantee reinforces the conclusion that both Roosevelt and Schofield understood one purpose of the mine seizure plan to be to enable the hiring of strikebreakers (if the army’s appearance did not cause the strike to end), because ten thousand soldiers, while maintaining order, could hardly be expected to mine enough coal to substitute for the lost production of one hundred fifty thousand striking miners.

There are, happily, important and independent clues to explain Roosevelt’s choice of this particular general. Schofield, who was born in 1831 and died in 1906, had by 1902 earned an excellent military reputation. He graduated seventh in his 1853 West Point class of fifty-five cadets, and his subsequent career fulfilled his academic promise. As noted by his recent biographer, he became “an important figure in the late nineteenth-century army. In addition to serving as a departmental, corps, and army commander in the Civil War, he occupied every senior position in the postwar army, including secretary of war [under Presidents Andrew Johnson and Ulysses S. Grant]. From the Civil War to the ‘Root Reforms,’ General Schofield played an influential role in the formulation of American military policy and especially in shaping the American military profession.”<sup>18</sup>



from John Mitchell, *Organized Labor*, p. 89

*John Mitchell, president of the United Mine Workers of America.*

Even after federal law forced Schofield into mandatory retirement from army service in 1895, at the age of sixty-four, the general remained a respected figure on military matters. This was illustrated early in the Roosevelt administration when Secretary of War Root called upon Schofield as a resource and as a witness before Congress in favor of the army reorganization known to history as the “Root Reforms.” These involved Root’s efforts to obtain legislation that would increase the size of the regular army, improve the functioning of the National Guard in support of the army, and reorganize the War Department and the army command structure, including replacement of the existing and often powerless “commanding general” position by a “chief of staff” with authority over all army departments. The army’s departmental staff (as distinguished from line or field officers) functioned at the time in autonomous bureaus (e.g., the Inspector General’s Department and the Corps of Engineers) with their own congressionally approved budgets. Studies of administrative inefficiencies during the Spanish-American War had convinced Root that drastic organizational changes were needed, but his proposed reforms regarding elimination of the commanding general’s position and subordination of the departmental staff officers to the new chief of staff were opposed by both then-

Commanding General Nelson A. Miles and the departmental staff officers in Washington, D.C.<sup>19</sup>

Schofield not only supported Root's view, but also helped to shape Root's bill establishing an army chief of staff, to be appointed by the President and serve at his pleasure, who would have substantial supervisory authority over all departmental staff and line officers. At Root's request, Schofield appeared before the Senate Military Affairs Committee in April 1902, the month before the anthracite coal strike began. He persuasively argued for Root's bill based on his personal experience as a former commanding general, pointing out the necessity for formalizing strong relationships among the President, the army's uniformed leader, and civilian officials in the War Department.<sup>20</sup> The timing of the testimony is important, because it demonstrates that Schofield still had political skills and a reservoir of respect within the government that might be helpful to President Roosevelt in connection with the army mine seizure plan a few months later.

Commanding General Miles was never seriously considered for command of the troops sent to the coal fields. He had become *persona non grata*. In addition to his disloyal opposition to the Root Reforms, Miles the year before had sought to discredit Roosevelt's proudest moment by intimating in a speech that TR had never been at San Juan Hill during the Spanish-American War. The commanding general was also suspected of leaking documents regarding atrocities in U.S. conduct of the war in the Philippines, had publicly expressed disagreement with an internal *navy* investigation, and had been reprimanded by both the secretary of war and the President for this criticism of a governmental entity outside his army jurisdiction. By March 1902, Roosevelt was building a case to his cabinet that Miles should be removed from his position as commanding general. He circulated a story about Miles's effort to thwart President McKinley's renomination in 1900 by means of a Miles-Roosevelt ticket; or if that failed, Roosevelt contended, Miles had plotted to supplant Roosevelt as the Republican Party's vice presidential nominee. In response to Miles's allegations of army brutality in the Philippines, Roosevelt wrote Root that Miles could hardly escape his own responsibility for the deaths of women and children in the 1890 Wounded Knee Indian massacre. Perhaps most reprehensible to TR, Miles seemed to be signaling the possibility of running for President against Roosevelt in 1904 on an anti-imperialist platform.<sup>21</sup>

Yet, despite the administration's hostility toward Miles, and although Schofield had had a distinguished military career and had been legislatively useful to Roosevelt and Root, those facts do not by themselves explain TR's desire to return Schofield to active military duty in a critical and volatile strike situation after seven years of retirement. The best explanation for Schofield's selection, which becomes apparent from the orders Roosevelt gave Schofield, was that the general had unique experience commanding the army during civil disorders. Schofield had been involved in five significant confrontations between the army and disgruntled laborers: the Great Strike of 1877; riots by white coal

miners against Chinese mining workers in Wyoming in 1885; the Coeur d'Alene, Idaho, mining confrontation in 1892; hijacking of trains in 1894 by "industrial armies" in the Pacific Northwest; and enforcement of federal court injunctions during the railroad boycotts that accompanied the Pullman strike later that same year. Not only was his participation in those events a matter of record, but his published memoirs had candidly discussed some of his experiences in labor disputes.<sup>22</sup> As a result, Roosevelt would have had access to relevant information regarding Schofield's command of army troops in labor confrontations.

Schofield was a relatively minor player in the 1877 Great Strike that began in West Virginia and quickly escalated to encompass two-thirds of the nation's rail lines, other industries, and unemployed mobs. It was marked by riots, killings, and substantial fire damage to private property. In response to a series of requests by state governors in West Virginia, Maryland, and Pennsylvania, President Rutherford B. Hayes immediately instructed the regular army to establish order. He also sent federal troops to Indiana, Illinois, and Missouri to protect government property and aid federal marshals who were trying to enforce court orders. Because Hayes did not clarify the relationship of federal troops to local authorities, in some states the regular army reported to state officials, while in Pennsylvania the army commanded state forces. Schofield at the time was the military academy's superintendent at West Point, but Hayes called him to Washington to consult, assigned him to reopen the rail line between Philadelphia and Pittsburgh, and designated him the commander of military forces protecting federal sites in the District of Columbia. In the process, Schofield participated in internal army consideration of the proper relationship between state and federal forces during civil disturbances.<sup>23</sup>

When white coal miners in Wyoming engaged in rioting and the killing of Chinese miners in 1885, Schofield was the commanding officer of the district where the disturbances occurred. In reaction to the sheriff's inability to protect the Chinese laborers because of local support for the rioters, the Union Pacific Railroad Company, owner of the mines, persuaded the territorial governor to request federal government help. Schofield was ordered to command army troops to protect life and liberty, aid local authorities, and make arrests. Schofield personally went to Rock Springs, Wyoming, the scene of the riots, where he found that the army had already established order while complying with his instructions not to punish offenders. His approach thereafter was to keep the army as far as he could from involvement in the underlying labor dispute and local political environment, and he rejected the use of military commissions to try alleged murderers.<sup>24</sup>

With respect to the 1892 Coeur d'Alene, Idaho, mining conflict, when Schofield was the army's commanding general, Philip S. Foner has alleged that "Schofield commanded 1500 federal soldiers sent to the Coeur d'Alene mining district, where they assisted in protecting strikebreakers and arresting strike leaders and sympathizers." Foner overstates Schofield's actual

role in the conflict. Although the army did provide such assistance, and Schofield did issue the order carrying out President Benjamin Harrison's prompt granting of the Idaho governor's request for army intervention, the general did not personally go to the scene of the labor conflict, and his involvement seems to have ended with the original order. Thereafter, the mining district was under state-declared martial law, and the state's inspector general was in "full charge of all operations in the field," which included those of the regular army. In the most extensive study of the 1892 labor dispute, by Robert Wayne Smith, Schofield receives mention solely for the initial order and for instructing the army commander on the scene to cooperate with Idaho's inspector general. Schofield's silence about military operations in the Coeur d'Alene mining district and his lack of direction to army commanders have been characterized by Jerry M. Cooper, a historian of federal military intervention in labor disputes, as "most puzzling," especially in comparison to his very different responses to labor disputes in 1894, only two years later. What helps to explain Schofield's passivity, however, is that President Harrison preempted the general by ordering the army to cooperate with the local authorities and to aid federal marshals in guarding and transporting prisoners.<sup>25</sup>

Schofield began to frame a comprehensive approach for army responses to civil disorders during the spring of 1894. He was still the army's commanding general when "industrial armies" of the unemployed in the western United States hijacked trains to take them to Washington, D.C., in support of the movement familiarly referred to as Coxe's Army. In response to the Montana governor's request for troops to aid the railroads, President Grover Cleveland quickly ordered the army to retake the trains and guard bridges, tunnels, and railroad property. In his memoirs published a few years later, Schofield expressed sympathy for the disgruntled workers and disdain for the railway companies' failure to provide "the requisite transportation of destitute laborers eastward [which] would have cost the roads practically nothing, while their losses resulting from not providing it were very great." Notwithstanding these pro-labor sentiments, Schofield insisted upon avoiding army favoritism toward either side of the dispute. In General Order No. 15 of May 25, 1894, he repeatedly cautioned that the army was not to become subject to civilian political direction. Troops were to act independently of "the orders of any civil officer," their commanding officers were "directly responsible to their military superiors," and none of them would be excused for unlawful or unauthorized acts on the ground that they had acted on an order "from a marshal or any other civil officer."<sup>26</sup> This deviated from the federal government's approaches in 1877 and 1892, and it foreshadowed the direction that Roosevelt would take in his instructions to Schofield in 1902.

Only two months later, the "industrial armies" episode took on the appearance of a dress rehearsal for the army's response to the violent Pullman strike and ensuing boycott of railroads that used Pullman-manufactured sleeping cars. Under the leadership of Eugene Debs's American Railway Union, the combined strike and boycott eventually halted service by 150,000 railroad workers.

At the direction of President Cleveland's attorney general, the federal government obtained a sweeping court injunction against the strike and boycott, in part because they prevented mail from being delivered to some railroad-served localities. Regarding the injunction as fatal to their cause, Debs and his union disobeyed it and were held in contempt of court. When federal marshals were unable to arrest those violating court orders, the President called on the army not only to guard federal and railroad facilities, but also to protect United States marshals while they enforced the court injunctions and escorted prisoners. Unlike Roosevelt in 1902, Cleveland did not first try to settle the strike.<sup>27</sup>

In his memoirs, Schofield explained that his issuance of General Order No. 15 during the "industrial armies" affair in the spring of 1894 was based on his interpretation of the Constitution and laws that "when the civil power ceases to be effective and the President is required to exercise his authority as commander-in-chief of the army, his acts become purely military, untrammelled by any civil authority whatever." Thus, when local authorities become unable to enforce the laws, the military power "steps in and overcomes the lawless resistance to authority." In defense of this limited role, he explained: "Then the civil officers resume their functions, to make arrests of individuals, hold them in custody, and deliver them to the courts for trial. It is not the duty of the troops in such cases to guard prisoners who are in the custody of civil officers; but it is the duty of the troops, if necessary, to repel by force of arms any unlawful attempt to rescue such prisoners." Or, as Schofield elaborated in General Order No. 23, issued during the Pullman disturbances on July 9, 1894, "punishment belongs not to the troops, but to the courts of justice."<sup>28</sup>

Unlike his inaction during the Coeur d'Alene affair two years earlier, Schofield took an active role in the army's Pullman intervention. All field commanders reported directly to him, and he subjected them to tactical limitations. In General Order No. 23, Schofield noted that the early stages of insurrection were marked by the intermingling of lawless mobs "with great crowds of comparatively innocent people drawn there by curiosity and excitement," so that "the commanding officer should withhold the fire of his troops, if possible, until timely warning has been given to the innocent to separate themselves from the guilty." Schofield's "general rule" was that, unless a commanding officer ordered otherwise because of tactical considerations, "the bayonet alone should be used against mixed crowds in the first stages of a revolt."<sup>29</sup> In short, Schofield's 1894 General Orders posited a more restrained army intervention than that pursued by Presidents Hayes and Harrison in 1877 and 1892, respectively.

General Schofield was, therefore, the common denominator in the army interventions under Presidents Hayes, Harrison, Cleveland, and, prospectively, Roosevelt. Having observed firsthand the army's practical problems in 1877 and 1892, Schofield in 1894 took the army in a different direction by developing a doctrine that more clearly partitioned federal and state roles, defined a purely military chain of command, and insisted upon